

SENATE PROPOSAL OF AMENDMENT

H.98

An act relating to reportable disease registries and data

The Senate proposes to the House to amend the bill as follows:

First: by adding two new sections to be numbered Secs. 3 and 4 to read as follows:

Sec. 3. 18 V.S.A. § 1122 is amended to read:

§ 1122. EXEMPTIONS

(a) Notwithstanding subsections 1121(a) and (b) of this title, a person may remain in school or in ~~the~~ a child care facility without a required immunization:

(1) If the person or, in the case of a minor, the person's parent or guardian presents a form created by the ~~department~~ Department and signed by a licensed health care practitioner authorized to prescribe vaccines or a health clinic stating that the person is in the process of being immunized. The person may continue to attend school or ~~the~~ a child care facility for up to six months while the immunization process is being accomplished;

(2) If a health care practitioner, licensed to practice in Vermont and authorized to prescribe vaccines, certifies in writing that a specific immunization is or may be detrimental to the person's health or is not

appropriate, provided that when a particular vaccine is no longer contraindicated, the person shall be required to receive the vaccine; ~~or,~~

(3) If the person or, in the case of a minor, the person's parent or guardian annually provides a signed statement to the school or child care facility on a form created by the ~~Vermont department of health~~ Department that the person, parent, or guardian:

(A) holds religious beliefs ~~or philosophical convictions~~ opposed to immunization; and

(B) has reviewed ~~and understands~~ evidence-based educational material provided by the ~~department of health~~ Department regarding immunizations, including:

(i) information about the risks of adverse reactions to immunization;

~~(C)~~(ii) ~~understands~~ information that failure to complete the required vaccination schedule increases risk to the person and others of contracting or carrying a vaccine-preventable infectious disease; and

~~(D)~~(iii) ~~understands~~ information that there are persons with special health needs attending schools and child care facilities who are unable to be vaccinated or who are at heightened risk of contracting a vaccine-preventable communicable disease and for whom such a disease could be life-threatening.

\* \* \*

Sec. 4. 18 V.S.A. § 1124 is amended to read:

§ 1124. ACCESS TO AND REPORTING OF IMMUNIZATION RECORDS

(a) In addition to any data collected in accordance with the requirements of the Centers for Disease Control and Prevention, the ~~Vermont department of health~~ Department shall annually collect from schools the immunization rates for at least those students in the first and eighth grades for each required vaccine. The data collected by the ~~department~~ Department shall include the number of medical, ~~philosophical~~, and religious exemptions filed for each required vaccine and the number of students with a provisional admittance.

\* \* \*

And by renumbering the existing Secs. 3 and 4 to be Secs. 5 and 6, respectively.

Second: In renumbered Sec. 5, 18 V.S.A. § 1129, in subsection (b), in the fourth sentence, by striking out the phrase “as defined in 16 V.S.A. § 1691a”.

Third: In renumbered Sec. 5, 18 V.S.A. § 1129, by inserting a new subsection to be subsection (g) to read as follows:

(g) As used in this section, “administrator” means an individual licensed under 16 V.S.A. chapter 5, the majority of whose employed time in a public school, school district, or supervisory union is assigned to developing and managing school curriculum, evaluating and disciplining personnel, or supervising and managing a school system or school program.

“Administrator” also means an individual employed by an approved or recognized independent school the majority of whose assigned time is devoted to those duties.